

Those present:

Louis Linkel

Eric Roberts

Thomas Wilson

Franklin County Auditor: Carol L. Monroe

*Louis Linkel opens with pledge of allegiance and opens Ditch Board Meeting

I. Drainage/Ditch Board Meeting

a. Bruns/Harvey Ditch

i. Joe Gillespie – had six unanswered questions

1. Wollyung property (west side of liberty pike) Gerald Bruns questioned drainage break
 - a. drove out and agreed with Gerald
 - b. amended Wollyung drainage to 6.207 areas
 - c. called Rob Sieg and discussed it with him (he originally did that)
 - i. the field had just been chisel plowed before that
 - ii. Done off of a quad runner with g.p.s.
2. grade from existing outlet of pipe to road crossing on Farm Hill Road
 - a. we measured 7.12 feet
3. Harvey questioned whether they could drain wet spot
 - a. They can do that
 - b. At road crossing (where new tile will cross) with four foot of cover it is feasible
 - c. That area would be 15.18 areas
 - d. Talked to don (Harvey) and they would want to do to that
 - e. Gerald – wouldn't it be more feasible to take it the way it should go-describes tile county put in
 - f. Can't agree with that, Harvey believes wet spot was created by the underground utility
 - g. Thomas Wilson – something has to be broken down somewhere
 - h. Louis Linkel – we need to take care of that
 - i. Gerald – my family feels it is at
4. calculate to remove western arm of Howard Bruns farm
 - a. old – 92.2976a and with arm out 55.651a (36.6466a less)
 - b. Thomas Wilson – you are going to tile that yourself (Gerald)
 - c. Gerald nods yes
 - d. 261.799a was the original and including the 15.18a the total would be 245.4056a drainage area
5. called ads and have not received an update of current tile price
6. Gerald – wants open ditch to be part of drainage area. Worried open ditch will fill in
7. Joe Gillespie – very inexpensive to maintain an open ditch.
8. Thomas Wilson – don't think anyone will have a problem with that
9. Eric Roberts – you could put enough in assessment to have \$10,000.00 and the interest on that could pay for the clean up (of open ditch).
- 10.absolutely
- 11.percentages (including
 - a. parcel #1 = 44.0068a / 17.93%
 - b. parcel #2 = 6.207a / 2.53%
 - c. parcel #3 = 55.651a / 22.68%
 - d. parcel #4 = 0.7008a / 0.29%
 - e. parcel #5 = 108.5175a / 44.22%
 - f. parcel #6 = 15.1425a / 6.17%
 - g. parcel #5 = 15.18a / 6.18%
- 12.Talked to don (Harvey) this morning and he had another meeting this afternoon. They would really like to have an outlet for that one wet spot. The natural flow of water runs to the west
- 13.if you are prepared to have a hearing on these percentages-the 15.18a is what is in question
- 14.Thomas Wilson – should have a hearing on the assessments
- 15.Louis Linkel – agrees
- 16.Eric Roberts – with the additions and subtractions and figure out a maintenance dollar amount with enough cushion
- 17.unless there is problems the only place that would require maintenance is the open ditch
- 18.Louis Linkel – April 23rd at 1:00p.m.
- 19.Eric Roberts – Seig won't bill us anymore
- 20.no

II. regular commissioner meeting - Louis Linkel

III. Bonding of Contractors (Area Plan Attorney-Tammy Davis)

- a. Tammy Davis – here today that the commissioners consider enforcing some type of contractor bonds. New attorney here in town and have three clients with breach of contractors. There is no guarantee the contractor pays the sub (contractor). Reviews several problems incurred by the three clients = \$60,000.00 in misappropriated funds for one client/structural problems, etc. On behalf of clients of requesting Commissioners enforce some type of contract oral bond to protect homeowners.
- b. Larry Franzman – there are all different type of problems
- c. Eric Roberts – are these locals
- d. Larry Franzman – two

- e. Tiffany Collins – bought a log home in Metamora. Structural problems-can see daylight, sunk two inches. Told me there was tyeveck. Whole back addition has sunk two inches, un-level. Around my house looks like a garbage dump. Have a video diary. I am now penniless and homeless. March 7 gave him a check at Gillman's lumber. He is from service magic. Get very emotional because I am living on families couch and I have to fix complete structural issues before I can work on the interior of my house. My dad is legally blind and can see these problems. I don't want marble tile, I want a safe house to live in. Thank you
- f. Keith Davis – thank you for this opportunity. My first question is-do you live in Franklin County. About a year and a half ago had a new home built. In the first phases of the home being built there was issues being brought up to the (local) contractor. Certain things were fixed at the time and other things we were told were fixed but were not fixed. This was a custom home and the contractor told me he did not do that in a spec house. For months made numerous phone calls. Needless to say it came time for us to move in and everything seemed fine. Within a few months there were cracks in the house. When it rains the amount of water that comes in my house (doors and fireplace) – it is about an inch of water. Found out there was not proper fill for leach lines. After hiring an attorney we got the contractor back to dig it up. Last night my wife and I were out there and you can plainly see where the grass is greener and wet. In the summer all you can smell the sewer. After Mr. Franzman and Mr. Meier came out (flip tape one) and did the inspection. Was told the fill washed away - Mr. Franzman said there is no way. Did not know local contractors did not have to be bonded. When you spend as much as we did on a home for a future investment and you have water problems everywhere and in the winter so cold can't even use living room. Have to be licensed to cut hair but not for a contractor. Would love to show you that in just a year and a half the
- g. Thomas Wilson – how would he fix them now without destroying your house?
- h. Keith Davis – that is a good question. We love the location. We can still live there but don't know five years from now if we are going to have mold problems. His own attorney came up with my attorney and he could not believe in a new home. It is depressing, it is upsetting. We will never be able to get the value out of that home because of the disclosure laws. Where do we live when they come back in and tear out the drywalls
- i. Louis Linkel – we have a problem I was not aware of
- j. Thomas Wilson – do other counties have bonds?
- k. Larry Franzman – in some of these situations, for a two hundred thousand dollar home, you may want up to one hundred thousand dollar bond. Some responsibility has to rely on the contractor
- l. Keith Davis – the bottom line is, all of that money we have spent on that investment we have lost. Emotionally it has stressed us so bad it is unbelievable. Now found out this contractor was sued and he filed bankruptcy. Thank you for your time
- m. Tammy Davis – have seen bonds of up to \$15.00 per every thousand
- n. Thomas Wilson – if we said yes it would be up to-
- o. Larry Franzman – if you say yes, we would send an ordinance up to you to pass.
- p. Tammy Davis – now would be the perfect time
- q. Karen Roop – my husband and I are new to Franklin county. Being in the insurance business and deal with contractors everyday. I have never experienced anything like I have here. Had a log home in Ohio and wanted to build one here. Started out with a pole barn. Shortly after the barn was completed you could see light underneath the concrete slab he said he did not compact the aggregate underneath the slab. As far as the foundation there are no inspections. Would like to see something added there. We told the contractor we would hold the funds and he threatened to put a lien on the property and then we can't start our home. Many time the contractor insulates themselves or files bankruptcy. We relied on our log home dealer and found out before he moved to tri-state area he had spent a year and a half in the state penitentiary. In our situation where our contractor misappropriated funds the bond company would sue the contractor. This particular contractor is very manipulative. He just quit showing up on the job. I was able to determine-we demanded he had proof of liability of insurance. We started questioning checks bouncing and checked to see if he still had liability insurance and he had let it lapse. When they bound someone they run a credit check and this person would not have been able to build in the county. A lot of these contractors can be pretty smooth running over the state lines. You are going to see Honda bring a lot of wonderful things into this community and are going to see a lot of contractors into this community. I have concerns with the growth and opportunities in this area. I got conned and I have been in this my whole life. You could be looking at 20-30 thousand dollars in litigation to go after sixty thousand and if he has nothing-it is a no win situation. We relied upon someone who gave him as a good reference.
- r. Louis Linkel – can there be some type of retainage?
- s. Larry Franzman – it would be nice. There are some things we have no control over. Most local contractors work well with us.
- t. Tammy Davis – it is a growing problem
- u. Eric Roberts – would this bond be a requirement for a permit. The bond should be equal to the value
- v. Louis Linkel – we need to talked to gene
- w. Thomas Wilson – would rather area plan do something.
- x. Louis Linkel – we need to do something

IV. Weekly Highway Engineer Report, George Hartman

- a. Bridge #38 / St. Mary's Road over Wolf Creek at Pumphouse Road and Wolf Creek Intersection
 - i. Contractor moving ahead-down in stream now
 - ii. See photo
 - iii. Got pre-cast block from IMI
 1. this contractor works more with roman Nobbe
 2. could commissioners rescind IMI and go with roman Nobbe
- b. Bridge #100 / Johnson Fork Road over Branch of Johnson Fork (stream)
 - i. Franklin County water agree to relocation of line
 1. will move it away from right of way line

- ii. See letter to Mr. Baugh
 - 1. John Graf – REMC has no documentation of an easement
 - iii. project will be place on hold until there is an agreement
 - iv. Louis Linkel – we should not have to pay for relocation
 - v. We never have-see notes
- c. Bridge # 110 and #111 / Railfence Road over Salt Creek Des. No. 0200725
 - i. See fax from Steve Barth
 - 1. note – date changed to May 7 at 9:00am for response
 - 2. should be ample time tape two
- d. Lemon Road LWC
 - i. See handout
 - ii. Concerned about only putting a culvert in due to water drainage area
 - iii. Thomas Wilson – could we just improve the opening. We are going to run out of I-beams
- e. Bridge #48 / Pipe Creek Road Bridge Rehabilitation over Pipe Creek Alley Ford Steel Truss Des. No. 0201280
 - i. See progress report and invoice
- V. Minutes
 - a. Louis Linkel – motion to approve
 - b. Eric Roberts – seconds the motion
 - c. Thomas Wilson – all in favor
- VI. Sheriff car
 - a. Louis Linkel – have a sheriff car on White’s sale (2003 Crown Vic)
 - b. Eric Roberts – will be Saturday
- VII. Proofs for prescription drug cards (AIC program)
 - a. Thomas Wilson – motion to approve
 - b. Eric Roberts – seconds the motion
 - c. Louis Linkel – all in favor
- VIII. County Option Dog Tax
 - a. Sharon Halcomb – a resident wants a letter from Commissioners saying the county does not charge for tax on dog
 - b. Thomas Wilson – makes since that the SAC warden be responsible. Need to talk to Dale.
 - c. Eric Roberts – it says fiscal body, send to council
- IX. Right of ways
 - a. Thomas Wilson – we need to prioritize
 - b. Joe Gillespie – we need to proceed with #73; it is ready. 110 and 111, 94 is pretty well ready
 - c. Louis Linkel – they may make an attempt to hold our funds
 - d. Eric Roberts – they are not going to care if we drop one ourselves flip tape two
- X. Payroll
 - a. Thomas Wilson – approve payroll if Rick (Gill) signs his
 - b. Eric Roberts – seconds the motion
 - c. Louis Linkel – all in favor
- XI. Tax statements
 - a. Sharon – have some more sales disclosures we are going to send to the state. Ratio study has to be ok. At a mystery who there were more sales disclosures in the public file. Hoping we will hear something for sure this week.
- XII. Franklin County Convention and Recreation
 - a. Received minutes and Gail Ginther agreed to take Dru Cox position who has been vacated
 - b. Thomas Wilson – motion to put Gail
 - c. Louis Linkel seconds the motion
 - d. Eric Roberts – all in favor
- XIII. Rex Pipeline
 - a. Larry Franzman – if the get public utility status, there is nothing we can do for size of pipe. But if they don’t, we can have an ordinance. The Commissioners would just pass a blank ordinance
 - b. Eric Roberts – the county has a utility agreement and everything has to be 42inches or greater
 - c. Larry Franzman –don’t see that five feet is ridiculous
 - d. Eric Roberts – reviews I.C. 8-1-23-3
 - e. Larry Franzman - we might be spending some money on the firework’s case
- XIV. Proposed text (comprehensive plan)
 - a. Larry Franzman – distributes letter from Greg Kunkel. Not asking for official action, just for an opinion. Wasting too many peoples time.
 - b. Louis Linkel – see if you can get away with 30/10
 - c. Joe Gillespie – maybe we can increase lot, etc. looking for things to compromise
 - d. Eric Roberts – in an agriculture track like an idea of a pan handle
 - e. Larry Franzman – still want to entice people but want to stop these little road spilt
 - f. Thomas Wilson – firm believer in property rights
 - g. Larry Franzman – don’t want everybody to loose hope at what we have done
 - h. Thomas Wilson – can we go 35/10
 - i. Eric Roberts – 36/12
 - j. Thomas Wilson – agrees to 36/12
 - k. Larry Franzman – the text as a whole is pretty good. We may have to go back and work out a few things.
 - l. Thomas Wilson – want it to be as good as we can get for the citizens of Franklin county
 - m. Louis Linkel – we need to get it passed and take it from there
- XV. Adjourn

- a. Eric Roberts – motion to adjourn
- b. Thomas Wilson – seconds the motion
- c. Louis Linkel – all in favor

XVI. Reconvene-Louis Linkel

XVII. E-911 Radios

- a. Eric Roberts motion to borrow money from FCN for E-911 Radios
- b. Thomas Wilson seconds the motion
- c. Louis Linkel – all in favor

XVIII. Adjourn

- a. Thomas Wilson – motion to adjourn
- b. Eric Roberts – seconds the motion
- c. Louis Linkel – all in favor

Those also present:

Susan Jones, Secretary	George Hartman, County Engineer	Gerald Bruns	Tammy Davis
Mike Selke, News Examiner	Tiffany Collins	Joe Gillespie, County Surveyor	Keith Davis
Larry Franzman, Area Plan Director	James Renee Stivers	Mary Collins	Karen Roop
John Estridge, Whitewater Publications	Renee Estridge	Sharon Halcomb, County Assessor	

TO BE APPROVED 04/09/2007